



PUBLIC NOTICE

Federal Communications Commission
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DA 07-1336
March 16, 2007

COMMENTS INVITED ON APPLICATION OF CABLEVISION LIGHTPATH, INC. TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 07-48
Comp. Pol. File No. 783

Comments Due: March 30, 2007

Section 214 Application **Applicant: Cablevision Lightpath, Inc.**

On **March 8, 2007, Cablevision Lightpath, Inc.** (Cablevision or Applicant), located at **1111 Stewart Avenue, Bethpage, NY 11714**, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain domestic telecommunications services to customers in New York.

Cablevision indicates that it currently provides local, toll, domestic long distance, and international service to residential customers in New York. Cablevision states that it plans to discontinue these services to its residential customers who live primarily in Long Island, New York, but that it intends to continue to provide service to its commercial customers located in the state.¹ In its application, Cablevision indicates that it plans to discontinue service to all affected customers on April 25, 2007. Cablevision represents that on January 22, 2007 it provided notice to all affected customers in accordance with section 63.71 of the Commission's rules and informed them that their service would be discontinued as early as April 17, 2007. Cablevision further represents that it sent a follow-up letter on March 5, 2007 to inform affected customers that their discontinuance date had been extended to April 25, 2007. Cablevision indicates that it plans to send further follow-up correspondence to affected customers approximately fifteen days prior to the proposed discontinuance date. Cablevision asserts that it is non-dominant with respect to the services it proposes to discontinue.

In accordance with section 63.71(c) of the Commission's rules, Cablevision's application will be deemed to be granted automatically on the thirty-first (31st) day after the release date of this public notice, unless the Commission notifies Cablevision that the grant will not be automatically effective. In Cablevision's initial notice to all affected customers, Cablevision suggested that services may be discontinued as early as April 17, 2007, and in its follow-up letter and application Cablevision specifies

¹ Discontinuance of international service is governed by 47 C.F.R. § 63.19.

that it does not plan to discontinue service to any remaining customers until April 25, 2007. Accordingly, pursuant to section 63.71(c) and Cablevision's representations in its follow-up letter and application, absent further Commission action, Cablevision may terminate service on **April 25, 2007**. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **March 30, 2007**. Such comments should refer to **WC Docket No. 07-48 and Comp. Pol. File No. 783**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the website for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C327, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at

FCC@BCPIWEB.COM. People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or Rodney McDonald, (202) 418-7513 (voice), rodney.mcdonald@fcc.gov of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding section 214 please visit **http://www.fcc.gov/wcb/cpd/other_adjud**.

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